

*Det. 4/0*

*06/03/2002*

*42*  
*6/4/02*  
*g*

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

|                                 |   |                        |
|---------------------------------|---|------------------------|
| UNITED STATES OF AMERICA,       | : |                        |
| Plaintiff                       | : |                        |
|                                 | : |                        |
| v.                              | : | CIVIL NO. 1:CV-00-1763 |
|                                 | : | (Rambo, J.)            |
|                                 | : | (Smyser, M.J.)         |
| 66.84 ACRES OF LAND, MORE OR    | : |                        |
| LESS, SITUATE IN SOUTH NEWTON   | : |                        |
| AND SOUTHAMPTON TOWNSHIPS,      | : |                        |
| CUMBERLAND COUNTY, COMMONWEALTH | : |                        |
| OF PENNSYLVANIA,                | : | Tract 372-01           |
| and                             | : |                        |
|                                 | : |                        |
| TUMBLING RUN GAME PRESERVE,     | : |                        |
| and                             | : |                        |
|                                 | : |                        |
| UNKNOWN OWNERS                  | : |                        |
| Defendants                      | : |                        |

**FILED**  
HARRISBURG, PA  
JUN 03 2002  
MARY E. D'AMICO  
Per Deputy Clerk

The United States' Motion in Limine to Exclude Evidence

Plaintiff United States of America, by and through its undersigned attorneys, hereby moves this Court to exclude certain categories of evidence, both documents and testimony, from the trial of this matter. Plaintiff believes and therefore avers that defendant will seek to introduce certain evidence not relevant to the issues remaining to be tried, including but not limited to:


1. Evidence of the Secretary's site selection process;
2. Evidence of Defendant's proposed alternative sites;
3. Evidence of settlement discussions and proposals;
4. Evidence of pre-suit negotiations; and
5. Evidence related to any issue resolved by the Court's

order of June 14, 2001.

A brief in support of this motion is filed concurrent herewith.

Respectfully submitted,

THOMAS A. MARINO  
UNITED STATES ATTORNEY

  
ANNE K. FIORENZA  
Assistant U.S. Attorney  
228 Walnut Street  
Harrisburg, PA 17108  
(717) 221-4482

Dated: June 3, 2002

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

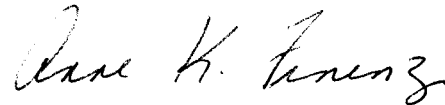
|                               |   |                        |
|-------------------------------|---|------------------------|
| UNITED STATES OF AMERICA,     | : |                        |
| Plaintiff                     | : |                        |
|                               | : |                        |
| v.                            | : | CIVIL NO. 1:CV-00-1763 |
|                               | : | (Rambo, J.)            |
|                               | : | (Smyser, M.J.)         |
| 66.84 ACRES OF LAND, MORE OR  | : |                        |
| LESS, SITUATE IN SOUTH NEWTON | : |                        |
| AND SOUTHAMPTON TOWNSHIPS,    | : |                        |
| CUMBERLAND COUNTY,            | : |                        |
| COMMONWEALTH                  | : |                        |
| OF PENNSYLVANIA,              | : | Tract 372-01           |
| and                           | : |                        |
|                               | : |                        |
| TUMBLING RUN GAME PRESERVE,   | : |                        |
| and                           | : |                        |
|                               | : |                        |
| UNKNOWN OWNERS                | : |                        |
|                               | : |                        |
| Defendants                    | : |                        |

CERTIFICATE OF CONCURRENCE/NON-CONCURRENCE

I , Anne K. Fiorenza, hereby certify that I have conferred with  
Larry Keating, counsel for defendant Tumbling Run Game Preserve,  
regarding the instant motion and he objects to the motion.

Respectfully submitted,

THOMAS A. MARINO  
United States Attorney



ANNE K. FIORENZA  
Assistant U.S. Attorney  
228 Walnut Street  
P.O. Box 11754  
Harrisburg, PA 17108-1754  
(717) 221-4482